

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

The indication of allowable subject matter is gratefully acknowledged. The allowed claims that directly depended from claim 30 were rewritten in independent format based on previously pending claim 30, except that the term "overall" was omitted since it is not believed that this term is necessary. Note that this term has also been deleted from claim 30 as amended above.

Claims 30-34, 36-43 and 47-49 were rejected under 35 U.S.C. §102(b) that the subjects of those claims are anticipated by Metz (U.S. patent no, 5,143,965), Metz claims:

Claim 1. A process for the production of a magnesium hydroxide having a particulate, crystalline structure characterized predominantly as having a fine, plate-like form and a median particle size of about 0.7 micron to about 1 micron, a unit layer thickness of 30 to 200 Angstroms, and a particle size distribution in which 80% of said particles are within about 0.3 to about 1.4 microns comprising:

(A) mixing by ultrasonic mixing means at ambient pressure and ambient or elevated temperature an aqueous alkaline material reactant selected from the group consisting of an amine, an alkaline earth metal hydroxide, and an alkali metal hydroxide and an aqueous magnesium containing salt reactant to produce an aqueous reactant mixture which 25 comprises about 20 to about 70% by weight of a mixture of reactants comprising said alkaline material and a magnesium containing salt and

(B) post heat treating said aqueous reactant mixture at ambient pressure to precipitate said magnesium hydroxide.

(see US 5,143,965, cl. 10, 1-10 to 30),

"Mixing by ultrasonic mixing means..." is an essential feature for the process described by Metz, which is not required by the presently claimed process. Thus, the process are believed to be clearly distinguished from Mertz

The currently amended claim 30 is directed to a process of precipitating inorganic solid particle coated with additives from solution and such process does not involve the mixing of reactants by ultrasonic mixing means. The mixing by ultrasonic mixing apparatus is apparently an essential feature of the process described by Metz (U.S. patent no 5,143,965) (see, e.g., claim 1 of Metz). Since such key feature is explicitly excluded in the currently amended claim 30, presently pending claim 30 and dependant claims 32-34, 36-43 and 47-49 are no longer anticipated by Metz. Thus, the §102(b) rejection based on Metz should be withdrawn.

New claim 53 does not recite magnesium hydroxide, and is also believed to be allowable over Mertz.

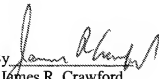
In view of the foregoing, all rejections should be withdrawn.

Allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. DNAG-316-US.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
James R. Crawford
Reg. No. 39,155

666 Fifth Avenue
New York, New York 10103
(212) 318-3000